

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

JOEY KIMBROUGH,

Plaintiff,

v.

AMERICAN EXPRESS COMPANY AKA
AMERICAN EXPRESS NATIONAL BANK

and

TRANS UNION LLC,

Defendants.

Case No. 1:22-cv-01993-TWP-MJD

**COUNTER DESIGNATION OF
RECORD ON APPEAL**

On October 28, 2024, Plaintiff Joey Kimbrough filed a Notice of Appeal of this matter to the U.S. Court of Appeals for the Seventh Circuit [ECF No. 119]. On the same day, Mr. Kimbrough filed his Proposed Designation of Record on Appeal [ECF No. 121], designating certain portions of the record before this Court to be included in the record before the appellate court. Pursuant to Fed. R. App. P. 10 and Seventh Circuit Rule 10, Defendant American Express National Bank (“American Express”) respectfully requests that all other matters before the District Court, including all docket entries, filings, and orders, also be included in the record to be certified before the U.S. Court of Appeals for the Seventh Circuit. American Express further requests that the transcript of the proceedings before Magistrate Judge Mark J. Dinsmore on May 30, 2024, be included in the record before the appellate court. American Express ordered a copy of this transcript via the Seventh Circuit Transcript Information Sheet on November 14, 2024 [ECF No. 128].

Dated: November 14, 2024.

Respectfully submitted,

By: /s/ Stephen J. Newman
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 14, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system and certify that a true and correct copy of the foregoing was provided to all parties and counsel of record, including: joeykokomo2002@yahoo.com.

/s/ Stephen J. Newman
Attorney